IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.4 OF 2005
IN
NOTICE OF MOTION NO.1721 OF 2003
IN
SUIT NO.1535 OF 2003

Mars Incorporated. ...Petitioner.

Vs.

Galaxy Family Food Products Pvt. Ltd. and ors.
...Respondents.

.....

Ramesh Gajria for the Petitioner.
Hakim Salim A.R. for the Respondents.

CORAM : A.S. AGUIAR,J.
DATED : 11/3/2005.

P.C.:

1. Affidavits of C.A. of respondent Nos. 2,3,4,5 and 6 are taken on record. The learned advocate for the respondents states that the respondents became aware of the impugned order dated 25.6.2003 on 18.1.2005. The order being exparte order the respondents were mot heard in the matter. However, he states that the respondents have now stopped selling their goods under the trade mark Galaxy and therefore, he has complied with the prayer clause

(a) and (b). So far as prayer clause (c) is concerned, he needs some time to carry out the amendment by deleting the word Galaxy from the name of the respondent company. Application is required to be made to ROC. The learned advocate for the respondents states that he will comply with the order and take steps and get the name amended within 12 weeks from today.

2. In view of the statement made by the learned advocate for the respondents, petition is disposed of. Liberty to apply in case the respondents do not comply with the order within 12-weeks from today.

(A.S.AGUIAR, J.)